

17 August 2023

File No: NTH23/000374/02

Your Ref: A-69287

Chief Executive Officer
Central Coast Council
PO Box 20
WYONG NSW 2259

Attention: Salli Pendergast

Pacific Highway (HW10): DA/1295/2023, Subdivision of land and construction of associated infrastructure, Lot: 1 DP: 503655, Lot: 62 DP: 755266, Lot: 1-9 DP: 215875, Lot: 11 DP: 240685, Lot: 49 DP: 707586, Lot: 7 DP: 240685, 80 - 120 Pacific Highway, Doyalson

I refer to the abovementioned Development Application referred to Transport for NSW (TfNSW) on 31 July 2023 for comment in accordance with 138 of the *Roads Act 1993*.

TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy*.

Pacific Highway (HW10) is a classified State road and Wentworth Ave is a local road. Council is the roads authority for both roads and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

TfNSW understands that the development application includes the following:

- 13 into 14 lot subdivision, including Community Title lands;
- Construction of an intersection to the Pacific Highway and slip lane, along with the internal road network;
- Provision of services including stormwater, water, sewer, electrical, and telecommunications; and
- Other minor works

TfNSW Response

- TfNSW has reviewed Strategic Design Plans – N0221393 (attached) and SIDRA modelling files for the proposed traffic control signals (TCS) at the intersection of ‘Main Road’ with the Pacific Highway (proposed Lot 1 fronting Lots 5 and 9) and has provided ‘Agreement in Principle’ for the TCS construction based on the 10-year projected traffic volumes to 2028.
- TfNSW understands that the SIDRA modelling is based on predicted land use under a structure plan as outlined in the Traffic Impact Assessment by TTPP, dated 25 June 2019, comprising several land uses for the development. Changes to land use and predicted traffic generation may change over the predicted 20 year staging period.

OFFICIAL

- As such, detailed traffic modelling will be required for individual developments, enabling assessment of cumulative impacts, which will inform if future upgrades to the signalised intersection are required. Any upgrades will be developer funded.
- A developer that funds TCS is required to contribute towards the maintenance of TCS for 10 years. Upgrades to traffic signal related infrastructure would require additional maintenance contributions.
- It is noted that no provision for off road shared paths / active transport facilities are included in the strategic plans and any connections required by Council may affect roadworks design plans.

TfNSW has reviewed the information provided and raises no objection to the proposed development, provided the following matter(s) are addressed and included in Council's conditions of development consent:

- The signalised controlled access including Road 1, and access road, Road 4, must be constructed and operational prior to issuing of any subdivision certificates for this development application.
- Any further intersection upgrades informed by traffic modelling for future developments, which generate traffic over and above the predicted volumes, will be developer funded.
- As the Wentworth Ave intersection will approach capacity due to development, prior to any building or Subdivision Certificate that would release any part of Community Lot 1 situated east of access Road 4, or would release Lots 2 & 3, (whichever occurs first) under this development application or subsequent development applications:
 - Practical completion of works to close the Pacific Highway median opposite Wentworth Ave and conversion of Wentworth Ave access to Left In Left Out only (LILO) will be required (under TfNSW Works Authorisation Deed), or
 - An updated Traffic Impact Assessment is to be provided to TfNSW satisfaction which supports deferring the median closure to a later stage.
- Additionally, concurrent with closure of the median an internal road connection from Wentworth Ave to the proposed Road 1 TCS intersection shall be constructed and dedicated, to enable northbound highway travel for Wentworth Ave residents. The master plan proposes that this connection will be via an extension of Denman Street, the perimeter road and/or the proposed local residential streets.
- The access to 120 Pacific Highway will be subject to a separate development application which will include upgrading of the existing left in / left out access to Council specifications and Austroads requirements to the satisfaction of TfNSW.

ADVICE TO COUNCIL

- Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.
- Discharged stormwater from the development shall not exceed the capacity of the Pacific Highway stormwater drainage system. Council shall ensure that drainage from the site is

OFFICIAL

catered for appropriately and should advise TfNSW of any adjustments to the existing system that are required prior to final approval of the development.

- Council should ensure that the applicant is aware of the potential for road traffic noise to impact on development on the site, in particular, noise generated by the Pacific Highway, a classified State / Regional road (HW10). In this regard, the developer, not TfNSW, is responsible for providing noise attenuation measures in accordance with the *NSW Road Noise Policy 2011*, prepared by the department previously known as the Department of Environment, Climate Change and Water.
- TfNSW highlights that in determining the application under Part 4 of the *Environmental Planning & Assessment Act, 1979* it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development.
- All matters relating to internal arrangements on-site such as traffic / pedestrian management, parking, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to consider.
- As road works are required on Pacific Highway, TfNSW will require the developer to enter into a Works Authorisation Deed (WAD) with TfNSW. TfNSW would exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the *Roads Act*, as applicable, for all works under the WAD.

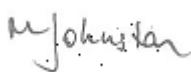
Comment: It is requested that Council advise the developer that the Conditions of Consent do not guarantee TfNSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work.

The WAD process, including acceptance of design documentation and construction, can take time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through this process as soon as possible with the TfNSW.

- All road works under the WAD shall be completed prior to issuing any Occupation Certificate for the development.
- All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to TfNSW or Council, and to Council's requirements.

On Council's determination of this matter, please forward a copy of the Notice of Determination to TfNSW for our records. Should you require further information please contact Tim Chapman, Development Services Case Officer, on 1300 207 783 or 0412274356 or by emailing development.north@transport.nsw.gov.au.

Yours faithfully



Marg Johnston
Team Leader Development Services
North Region | Community & Place
Regional & Outer Metropolitan

OFFICIAL